

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RUSSELL M. NIGRO,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, and CENTER	:	No. 10-987
CITY DISTRICT,	:	
Defendants.	:	

O R D E R

AND NOW, this 25th day of August, 2010, upon consideration of: plaintiff's Motion to Remand (paper no. 10); defendants' responses thereto; plaintiff's Motion for Leave to File Reply Memorandum of Law in Support of Plaintiff's Motion for Remand (paper no. 17); and defendant Center City District's response to the Motion for Leave to File Reply (paper no. 19); it is ORDERED that:

1. Motion for Leave to File Reply Memorandum of Law in Support of Plaintiff's Motion for Remand (paper no. 17) is **GRANTED**; Plaintiff's Reply Memorandum in Support of Plaintiff's Motion for Remand, having been attached as Exhibit 1 to the motion for leave (paper no. 17-2), **SHALL BE FILED** of record.
2. Defendant Center City District's response to the Motion for Leave to File Reply (paper no. 19), requesting permission to file a sur-reply, is **GRANTED**; the sur-reply, having been attached as Exhibit A to the response (paper no. 19-2), **SHALL BE FILED** of record.
3. The Motion to Remand (paper no. 10) is **GRANTED** and this action shall be remanded to the Court of Common Pleas of Philadelphia County, Pennsylvania for lack of federal jurisdiction. The Clerk shall mark the action closed.
4. The Motion to Dismiss plaintiff's complaint (paper no. 6) filed by the City of Philadelphia is **DENIED as MOOT**.

/s/ Norma L. Shapiro

J.